

Docket No. 0163-0707-2X



"RESPONSE UNDER 37 CFR 1.116–  
EXPEDITED PROCEDURE EXAMINING  
GROUP 1725"

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Kenji MIWA, et al.

GAU: 1725

SERIAL NO: 09/158,099

EXAMINER: LIN, K

2<sup>nd</sup> RCE MARCH 23, 2004

FILED:

FOR: METHOD OF REFINEMENT OF MICROSTRUCTURE OF METALLIC MATERIALS

**NOTICE OF APPEAL**

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicants hereby appeal to the Board of Appeals from the decision dated April 13, 2004

The items checked below are appropriate:

- A Petition for Extension of Time Under 37 C.F.R. §1.136 was filed for            months.  
 A timely response to the final rejection has been filed, as provided in 841 O.G. 1411.  
 A Petition for Extension of Time for filing the Notice of Appeal is attached.

Fee: \$340.00

- Applicant claims small entity status. See 37 CFR 1.27.  
 A check is Enclosed  
 A credit card payment form is enclosed  
 Charge to Deposit Account No. 15-0030 (an additional copy of this notice is enclosed herewith).  
 Please charge any additional fees or credit any overpayment of fees required for filing the Notice of Appeal to Deposit Account No. 15-0030. A duplicate copy of this Notice is enclosed.  
 If this notice is not considered timely filed by the U.S. Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this Notice is enclosed.

Respectfully Submitted,

OBLON, SPIVAK McCLELLAND,  
MAIER & NEUSTADT, P.C.

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